

IN THE  
**ARIZONA COURT OF APPEALS**  
DIVISION TWO

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THE STATE OF ARIZONA,  
*Respondent,*

*v.*

ROBERT LEON POLMANTEER,  
*Petitioner.*

No. 2 CA-CR 2015-0141-PR  
Filed May 26, 2015

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THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND  
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

*See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Crim. P. 31.24.*

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Petition for Review from the Superior Court in Maricopa County

No. CR2012006712003DT

The Honorable Janet E. Barton, Judge

**REVIEW DENIED**

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COUNSEL

William G. Montgomery, Maricopa County Attorney  
By Robert E. Prather, Deputy County Attorney, Phoenix  
*Counsel for Respondent*

STATE v. POLMANTEER  
Decision of the Court

Robert Leon Polmanteer, Buckeye  
*In Propria Persona*

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**MEMORANDUM DECISION**

Presiding Judge Miller authored the decision of the Court, in which Chief Judge Eckerstrom and Judge Espinosa concurred.

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M I L L E R, Presiding Judge:

¶1 Robert Polmanteer petitions this court for review of the trial court's order summarily denying his petition for post-conviction relief, filed pursuant to Rule 32, Ariz. R. Crim. P. For the reasons that follow, we deny review.

¶2 Polmanteer pled guilty to eight counts of fraudulent schemes and artifices. For five of the counts, the trial court sentenced him to concurrent 5.5-year prison terms, and for the remaining counts it suspended the imposition of sentence and placed Polmanteer on concurrent five-year terms of probation to follow his prison terms. Polmanteer sought post-conviction relief, stating in his notice that he did not want counsel appointed. In his pro se petition for post-conviction relief, Polmanteer claimed his trial counsel had been ineffective, his speedy trial rights had been violated, and the trial court lacked jurisdiction because his "case involved things from Las Vegas[,] Nevada which by law would make it a federal case." The trial court summarily denied relief, and this petition for review followed.

¶3 Polmanteer's petition for review contains no meaningful description of the issues decided by the trial court or of the facts material to the consideration of those issues, and he does not explain how the court abused its discretion in rejecting his claims, as required by Rule 32.9(c)(1). He instead appears to seek to incorporate by reference his petition below and a bar complaint he filed against his trial counsel. That procedure is not permitted by

STATE v. POLMANTEER  
Decision of the Court

our rules. See Ariz. R. Crim. P. 32.5, 32.9(c); *State v. Bortz*, 169 Ariz. 575, 578, 821 P.2d 236, 239 (App. 1991). Polmanteer's failure to comply with Rule 32.9 justifies our summary refusal to grant review. See Ariz. R. Crim. P. 32.9(c)(1) (petition for review must contain "reasons why the petition should be granted" and either appendix or "specific references to the record"), (f) (appellate review under Rule 32.9 discretionary); see also *State v. Bolton*, 182 Ariz. 290, 298, 896 P.2d 830, 838 (1995) (insufficient argument waives claim on review); *State v. French*, 198 Ariz. 119, ¶ 9, 7 P.3d 128, 131 (App. 2000) (summarily rejecting claims not complying with rules governing form and content of petitions for review), *disapproved on other grounds by Stewart v. Smith*, 202 Ariz. 446, ¶ 10, 46 P.3d 1067, 1071 (2002).

¶4           We deny review.